

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF WASHINGTON  
AT SEATTLE

CORTEZ DAUNDRE JONES,

Plaintiff,

v.

SCORE JAIL, *et al.*,

Defendants.

Case No. C23-1287-JLR

REPORT AND RECOMMENDATION

Plaintiff Cortez Daundre Jones, proceeding *pro se*, has filed an application to proceed *in forma pauperis* (“IFP”) in the above-entitled action. (Dkt. # 1.) Plaintiff’s IFP application indicates that he is currently employed, receiving \$35,000 monthly; has other income of at least \$324,000 over the past twelve months; has received \$32,000 in disability, workers compensation or public assistance over the past 12 months, and owns \$324,000 in stocks. (*Id.* at 1-2.) Plaintiff describes monthly obligations of \$4,000 for transportation, rent, and medical bills, but crossed out this amount on his application; indicates he has no cash on hand or in a bank account, and represents he cannot afford the filing fee due to his medical bills and inability to work due to his disabilities. (*Id.* at 2.)

1           28 U.S.C. § 1915 provides the rights and obligations associated with IFP status, which  
2           exempts applicants from prepaying filing fees and costs in federal court. *See Floyd v. Lee*, 85 F.  
3           Supp. 3d 482, 492-93 (D.D.C. 2015) (citing *Rowland v. Cal. Men's Colony*, 506 U.S. 194, 196  
4           (1993)). The IFP statute requires applicants to “submi[t] an affidavit that includes a statement of  
5           all assets . . . [and that states] that the person is unable to pay . . . fees or give security therefor.”  
6           *Id.* at 493 (citing 28 U.S.C. § 1915(a)(1)). But if the Court determines “at any time” that “the  
7           allegation of poverty is untrue,” it “shall dismiss the case . . . .” *Id.* (citing § 1915(e)(2)(A)).

8           Here, the information provided in Plaintiff’s IFP application is inconsistent with that  
9           contained in numerous other IFP applications Plaintiff recently filed in this Court, including  
10          applications contemporaneously filed with this action. *See e.g., Jones v. Snohomish County Jail*,  
11          C23-1295-RAJ, dkt. # 1 (reflecting Plaintiff is not employed, has not received any money from  
12          any source in the past twelve months, has no cash on hand, no money in a checking or savings  
13          account, and has no monthly expenses); *Jones v. Harrell*, C23-1153-RSM, dkt. # 1 at 2  
14          (collecting cases and finding Plaintiff submitted false IFP applications because Plaintiff provides  
15          “no explanation for how he suddenly lost over \$300,000 in assets or his annual salary of  
16          \$35,000.00” between his submission of IFP applications).<sup>1</sup> Furthermore, if the information  
17          provided on his IFP application is accurate, Plaintiff fails to demonstrate that he cannot afford  
18          the \$402.00 filing fee. Given these circumstances, Plaintiff should not be authorized to proceed  
19          IFP.

20          After careful consideration of Plaintiff’s IFP application, the governing law, and the  
21          balance of the record, the Court recommends Plaintiff’s IFP application (dkt. # 1) be DENIED  
22          and that Plaintiff be directed to pay the applicable filing fee within **thirty (30) days** after entry of  
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<sup>1</sup> The Court additionally notes that Plaintiff has filed at least 57 cases in this Court between August 2, 2023, and August 30, 2023.

1 the Court's Order adopting this Report and Recommendation. If Plaintiff fails to pay the fee, the  
2 Clerk should close the file. A proposed Order accompanies this Report and Recommendation.

3 This Report and Recommendation is not an appealable order. Thus, a notice of appeal  
4 seeking review in the Court of Appeals for the Ninth Circuit should not be filed until the  
5 Honorable James L. Robart acts on this Report and Recommendation. The Clerk is directed to  
6 send copies of this Report and Recommendation to Plaintiff and to Judge Robart.

7 Dated this 30th day of August, 2023.

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9 MICHELLE L. PETERSON  
10 United States Magistrate Judge  
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